

In re: Elizabeth J. Sanders) Case Number: 12-18798
Debtor.) Chapter 13 Proceedings
) Judge Arthur I. Harris

Now comes CRAIG SHOPNECK, the duly appointed, qualified, and standing Chapter 13 Trustee (“Trustee”) herein, by and through counsel, and hereby objects to the Motion to Modify Debtor’s Confirmed Chapter 13 Plan (the “Motion”). In support of his objection, Trustee makes the following representations to this Honorable Court:

2. According to Trustee’s calculations, the proposed modifications will cause the Plan to complete in less than sixty (60) months. Debtor is above median income debtor, therefore, the Plan should complete in no less than sixty (60) months in order to comply with *In re Baud* 634 F.3d 327 (C.A.6 (Mich.) 2011).

¹ Pursuant to Article 7 of the Plan, Trustee was required to pay unsecured creditors the pro-rata share of forty thousand and 00/100 dollars (\$40,000.00) or sixty-five percent (65%), whichever was greater. By Trustee's calculations, based on the amount of claims filed, the confirmed unsecured dividend of sixty-five percent (65%) was internally adjusted to seventy-three percent (73%).

WHEREFORE your Trustee, being a proper party in interest, hereby moves this Honorable Court to sustain his objection and deny the Motion for the aforementioned reasons cited.

Respectfully submitted,

/S/ Philip D. Lamos

PHILIP D. LAMOS (#0066844)

Attorney for Craig Shopneck, Chapter 13 Trustee

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2013, a true and correct copy of Trustee's Objection to Motion to Modify Debtor's Confirmed Chapter 13 Plan was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Paul S. Kuzmickas, on behalf of, Elizabeth J. Sanders, Debtor, at pkuzmickas@lawlh.com

And by regular U.S. mail, postage prepaid, on:

Elizabeth J. Sanders, Debtor, at 36458 Westfield Drive, North Ridgeville, OH 44039-3844

/S/ Philip D. Lamos

PHILIP D. LAMOS (#0066844)

PDL/dlr
12/12/13